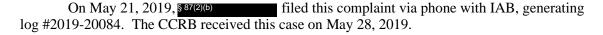
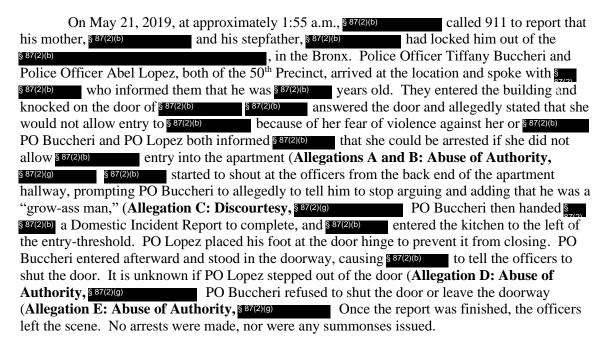
CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	☐ Force	☑ Discourt.	U.S.
Michael Miskovski		Squad #3	201904599	✓ Abuse	O.L.	☐ Injury
Incident Date(s)		Location of Incident:		Precinct:	18 Mo. SOL	EO SOL
Tuesday, 05/21/2019 1:55 AM		§ 87(2)(b)		50	11/21/2020	7/8/2021
Date/Time CV Reported		CV Reported At:	How CV Reported	: Date/Time	e Received at CCI	RB
Tue, 05/21/2019 4:59 AM		IAB	Phone	Tue, 05/2	8/2019 11:10 AM	[
Complainant/Victim	Type	Home Addre	ess			
Witness(es)		Home Addre	ess			
Subject Officer(s)	Shield	TaxID	Command			
1. POM Abel Lopez	23850	963127	050 PCT			
2. POF Tiffany Buccheri	09737	964946	050 PCT			
Officer(s)	Allegati	on		Inv	estigator Recon	nmendation
A.POF Tiffany Buccheri	Abuse: 1 § 87(2)(b)	Police Officer Tiffany Bu	accheri threatened to	arrest		
B.POM Abel Lopez	Abuse: 1 § 87(2)(b)	Police Officer Abel Lope	z threatened to arres	st		
C.POF Tiffany Buccheri		tesy: Police Officer Tiffa eously to § 87(2)(b)	ny Buccheri spoke			
D.POM Abel Lopez	Abuse: 1	Police Officer Abel Lope in the Bronx.	z entered § 87(2)(b)			
E.POF Tiffany Buccheri	Abuse: 1	Police Officer Tiffany Bu	nccheri entered (8 87(2) The Bronx.			

Case Summary





There is body-worn camera (BWC) footage from PO Buccheri covering the latter part of the incident (**01 Board Review**). PO Lopez had a BWC with a faulty battery; therefore, no footage was available.

Findings and Recommendations

Allegation (A) Abuse of Authority: PO Tiffany Buccheri threatened to arrest \$87(2)(6)

Allegation (B) Abuse of Authority: PO Abel Lopez threatened to arrest 887(2)(b)

It is undisputed that PO Buccheri and PO Lopez threatened \$\frac{87(2)(b)}{2}\$ with arrest for possibly refusing entry to \$\frac{87(2)(b)}{2}\$ In her statement to the CCRB, \$\frac{87(2)(b)}{2}\$ stated that PO Buccheri informed her that if she refused to allow \$\frac{87(2)(b)}{2}\$ entry, she would have to be arrested (**02 Board Review**). \$\frac{87(2)(b)}{2}\$ stated that the officers told \$\frac{87(2)(b)}{2}\$ and \$\frac{87(2)(b)}{2}\$ that they were neglecting \$\frac{87(2)(b)}{2}\$ (**03 Board Review**). In his statement to the CCRB, PO Lopez stated that he and PO Buccheri both informed \$\frac{87(2)(b)}{2}\$ that she could be arrested for an illegal eviction and endangerment of a minor (**04 Board Review**). PO Buccheri also stated that she and PO Lopez informed \$\frac{87(2)(b)}{2}\$ that she could be arrested for an illegal eviction and endangerment of the welfare of a minor if she did not allow entry to \$\frac{87(2)(b)}{2}\$ (**05 Board Review**).

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Due to \$87(2)(b) s alleged hospitalization to a psychiatric department, the investigation did not reach out to \$87(2)(b)
NYPD Event number 887(2)(b) notes that 887(2)(b) called 911 reporting that he was 100 had a dispute with his family, his mother did not give him dinner, and she was not allowing him inside (16 Board Review). This is consistent with the statements of PO Lopez and PO Buccheri (04 and 05 Board Review).
According to the New York Penal Law Section 260.10, Endangerment of a Minor consists of actions, "Being a parent, guardian or other person legally charged with the care or custody of a child less than eighteen years old, he or she fails or refuses to exercise reasonable diligence in the control of such child to prevent him or her from becoming an 'abused child,' a 'neglected child,' a 'juvenile delinquent' or a 'person in need of supervision'," (06 Board Review). Second, the New York City Administrative Code section 26-521, a person commits an illegal eviction when they, "attempt to evict an occupant of a dwelling unit who has lawfully occupied the dwelling unit for thirty consecutive days," and furthermore, "engagingin any other conduct which prevents or is intended to prevent such occupant from the lawful occupancy of such dwelling unit," (07 Board Review).
§ 87(2)(g)
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Allegation (C) Discourtesy: PO Tiffany Buccheri spoke discourteously to \$87(2)(b)
In her statement to the CCRB, sar(2)(b) stated that once sar(2)(b) joined the conversation by stepping out into the hallway from the bedroom, PO Buccheri said to him, "You're a grown-ass man. You need to get back inside," (02 Board Review). sar(2)(b) did not mention this statement in his initial narrative to the CCRB, and even when asked about it, he did not recall it being said to him (03 Board Review). However, he did note that his wife has a better memory than he does. PO Lopez did not recall PO Buccheri making any such statements (04 Board Review). PO Buccheri denied ever making that statement or telling sar(2)(b) to leave the conversation (05 Board Review). This statement is not captured by PO Buccheri's BWC; however, the recording begins at an unspecified time after the beginning of the incident, and sar(2)(c) is already present in the apartment during the recording (01 Board Review).
§ 87(2)(g)

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	<u>Civilian</u>	and Officer CCRB Histories	
• § 87(2)(b)		o one other CCRB complaint \$87(2)(9) (10 Board Review).	outy (11 Doord
ReviewOfficer other COfficer	Lopez has been a member CRB complaint and one of	of service for two years and has been her allegation, none of which were sub per of service for one year and this is the	bstantiated.
	Mediation,	Civil and Criminal Histories	
§ 87(2)(b)[§ 87(2)(b)] [§	declined to mediate thi	s complaint.	
• [§ 87(2)(b)] [§	est for Notice of Claim was oller on October 4, 2019 an	s complaint. s submitted to the Office of the New Y and will be added to the case file upon the case of the submitted to the case of the upon the	•
 [§ 87(2)(b)] [§ A reque Comptr 	est for Notice of Claim was oller on October 4, 2019 an	s submitted to the Office of the New Y	•
A request Comptres Review Juad No.:	est for Notice of Claim was oller on October 4, 2019 an	s submitted to the Office of the New Y	•
A request Comptribution Review	est for Notice of Claim was coller on October 4, 2019 and soller. Signature	s submitted to the Office of the New Y and will be added to the case file upon	receipt (14 Boa

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Print Title & Name

Date

Signature